

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                            |   |                                  |
|----------------------------|---|----------------------------------|
| In re Application of:      | ) |                                  |
|                            | ) |                                  |
| Patrick BENOIT et al.      | ) | Group Art Unit: Not Yet Assigned |
|                            | ) |                                  |
| Filed: March 17, 2004      | ) | Examiner: Not Yet Assigned       |
|                            | ) |                                  |
| For: SEQUENCES UPSTREAM OF | ) |                                  |
| THE CARP GENE, VECTORS     | ) |                                  |
| CONTAINING THEM AND        | ) |                                  |
| USES THEREOF               | ) |                                  |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**STATEMENT UNDER 37 C.F.R. § 1.821-1.825**

In connection with the Sequence Listing submitted concurrently herewith, the undersigned states that:


1. The content of the attached paper copy and the attached computer readable form of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
2. All statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 17, 2004

By:   
William L. Strauss  
Reg. No. 47,114